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**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;  
 ORACLE AMERICA, INC. a Delaware  
 corporation; and ORACLE INTERNATIONAL  
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
 SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-00106-LRH-PAL

**PLAINTIFFS ORACLE USA, INC.,  
 ORACLE AMERICA, INC., AND  
 ORACLE INTERNATIONAL  
 CORPORATION'S MOTION TO SEAL  
 THEIR MOTION TO EXCLUDE  
 DEPOSITION TESTIMONY OF PAUL  
 SIMMONS AND THE TESTIMONY, IN  
 PART, OF BROOKS HILLIARD, AND  
 EXHIBITS A AND B TO THE  
 DECLARATION OF KIERAN P.  
 RINGGENBERG IN SUPPORT OF THE  
 MOTION**

Judge: Hon. Larry R. Hicks

Pursuant to the May 21, 2010 Stipulated Protective Order governing confidentiality of documents entered by the Court, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the Court order the Clerk of the Court to file under seal an unredacted copy of Oracle’s motion to exclude the deposition testimony of Paul Simmons and the testimony, in part, of Brooks Hilliard (“Motion”) and Exhibits A and B to the declaration of Kieran P. Ringgenberg filed in support of the motion (“Declaration”). Unredacted copies of the Motion and Declaration were lodged under seal with the Court on September 27, 2015.

Sealing of the Motion and it’s Attachment 1, and Exhibits A and B to the Declaration is requested because the redacted portions of it contain information that third-party CedarCrestone, Inc. has designated as “Highly Confidential Information – Attorneys’ Eyes Only” under the terms of the Protective Order. The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ and ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Protective Order ¶ 2.

For sealing requests relating to non-dispositive motions, such as this, the presumption of public access to court filings may be overcome by a showing of good cause under Rule 26(c). *See Pintos v. Pacific Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010); *Kamakana v. Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Third-party CedarCrestone has identified the information redacted in the Motion, and Exhibits A and B to the Declaration as Highly Confidential, and therefore third-party CedarCrestone has represented that good cause exists for sealing those portions of the documents. This is a sufficient showing of good cause to permit a sealing order

on a non-dispositive motion. *See, e.g., Pac. Gas & Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

**TESTIMONY AND DOCUMENTS DESIGNATED AS  
HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY**

Third-party CedarCrestone has designated the following materials cited or referred to in Oracle’s Motion and Exhibits A and B to the Declaration as Highly Confidential – Attorneys’ Eyes Only:

DECL. EX.	DESCRIPTION	CONF. DESIGN.
A	Deposition of Paul Simmons taken on December 1, 2011 – proposed excerpts to be played at trial	Highly Confidential (by Third-Party CedarCrestone)
B	Declaration of Brian E. Fees on Behalf of CedarCrestone, Inc., dated August 13, 2013	Highly Confidential (by Third-Party CedarCrestone)

For the foregoing reasons, Oracle respectfully requests that the Court find that good cause exists to file under seal the unredacted copy of the Motion and Exhibits A and B to the Declaration, and to issue an order sealing the same.

DATED: September 27, 2015

BOIES SCHILLER & FLEXNER LLP

By: /s/ Kieran P. Ringgenberg  
Kieran P. Ringgenberg  
Attorneys for Plaintiffs  
Oracle USA, Inc., Oracle America, Inc.,  
and Oracle International Corp.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of September, 2015, I electronically transmitted the foregoing **PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL THEIR MOTION TO EXCLUDE DEPOSITION TESTIMONY OF PAUL SIMMONS AND THE TESTIMONY, IN PART, OF BROOKS HILLIARD, AND EXHIBITS A AND B TO THE DECLARATION OF KIERAN P. RINGGENBERG IN SUPPORT OF THE MOTION** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

/s/ Kieran P. Ringgenberg  
Kieran P. Ringgenberg